

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

FILED

OCT 26 2007

JIMMIE L. HINLEY,

U.S. DISTRICT COURT
ELKINS WV 26241

Plaintiff,

v.

CIVIL ACTION NO. 1:07-CV-64

MICHAEL J. ASTRUE,¹
COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

ORDER

On this day came Defendant, Michael J. Astrue, Commissioner of Social Security, and moved the Court to enlarge the time within which Defendant may file his motion for summary judgment, and it appearing to the Court that good cause exists for said motion, it is hereby

ORDERED that the time within which Defendant may file is extended and enlarged up to and including the 2nd day of November, 2007.

Date: October 26, 2007


UNITED STATES MAGISTRATE JUDGE

¹ On February 12, 2007, Michael J. Astrue became the Commissioner of Social Security. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue should be substituted, therefore, for former Commissioner Jo Anne B. Barnhart as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).